

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

FILED
27 DEC 19 PM 4:03
CLERK OF COURT
DISTRICT OF SOUTH CAROLINA

IN RE:)
)
AMENDMENTS TO LOCAL) **OPERATING ORDER 97-2**
BANKRUPTCY RULES)
_____)

It appearing to the court that amendments to the South Carolina Local Bankruptcy Rules (SC LBR) are necessary to conform them to recent amendments to the Federal Rules of Bankruptcy Procedure, to the Bankruptcy Court Miscellaneous Fee Schedule and to current practices and procedures,

IT IS ORDERED that the local rules enumerated below be, and they hereby are, amended as indicated, with deleted language being stricken and added language being shaded:

Exhibit 1 to SC LBR 1002-1:

“Chapter 11: Reorganization (\$800.00 filing fee and \$30.00 administrative fee)”

“Chapter 12: Family Farmer (\$200.00 filing fee and \$30.00 administrative fee)”

Local Rule 1006-1: Requirement for Payment of Filing Fee, Administrative Fee and Trustee Surcharge Fee in Installments:

Paragraph (a):

“(1) must be accompanied by the following minimum payments:

- (a) Chapter 7 - \$75*
- (b) Chapter 11 -~~\$300~~ \$330*
- © Chapter 12 -~~\$75~~ \$105*
- (d) Chapter 13 - \$60*

* \$30 of the minimum payment will be applied toward the administrative fee which is due in all ~~chapter 7 and 13~~ cases.

Local Rule 1007-1: List of Creditors

“As part of the filing requirements set forth by Bankruptcy Rules 1002, 1003 and 1007, the debtor shall file with the petition a mailing matrix listing the name and address of each creditor shown on the debtor's schedules (Official Bankruptcy Form B6A-J). In a chapter 7, chapter 11, chapter 12 or chapter 13 case the mailing matrix shall be submitted on a computer diskette as set forth in the ‘Clerk's Instructions for Submission of the List of Creditors on Computer Diskette.’”

Local Rule 2002-1: Notices

Paragraph (b)(1), Chapter 13 Case, Trustee: Subparagraph (a) is deleted

Paragraph (b)(4), Chapter 11 Case, Debtor: Subparagraph (a): “Notice of Commencement of Bankruptcy Case ..., Meeting of Creditors, and Fixing of Dates Deadlines (11 U.S.C. §341 meeting notice).

Local Rule 2002-2: Returned Notices of Commencement of Case Under the Bankruptcy Code Notice of Bankruptcy Case, Meeting of Creditors (11 U.S.C. §341 Notices), and fixing of dates in voluntary cases, and Deadlines and Discharge of Debtor (11 U.S.C. §§727, 1228, and 1328)

“The following procedures regarding the mailing of Notice of Commencement of Case Under the Bankruptcy Code Case, Meeting of Creditors (the 11 U.S.C. §341 meeting notices) and Fixing of Dates Deadlines in voluntary cases, and”

Local Rule 5001-1: Office of the Clerk

Paragraph (c): Mailing Addresses of the Court. “(2) For proofs of claim in Chapter 13 cases use the address indicated based on the trustee in the case:

UNITED STATES BANKRUPTCY COURT
ATTN: CH. 13 CLAIMS - STEPHENSON, TRUSTEE
POST OFFICE BOX 114
COLUMBIA SC 29202

UNITED STATES BANKRUPTCY COURT
ATTN: CH. 13 CLAIMS - LEVY, TRUSTEE
POST OFFICE BOX 504
COLUMBIA SC 29202

UNITED STATES BANKRUPTCY COURT
ATTN: CH. 13 CLAIMS - BUTLER, TRUSTEE
POST OFFICE BOX 454
COLUMBIA SC 29202"

Local Rule 5005-1: Filing of Documents in Clerk's Office

Paragraph (b), Bankruptcy Petitions. Subparagraph (2):

"Administrative fee required to be paid simultaneously with the filing of the petition in ~~chapter 7 and 13~~ all cases: \$30.00, and trustee surcharge fee"

"Total fees:

Chapter 7	\$175
Chapter 11	\$830
Chapter 12	\$230
Chapter 13	\$160.00"

Paragraph (f), 11 U.S.C. §362 (Motions).

"(3) The ~~\$60.00~~ \$75.00 filing fee must accompany the motion."

Paragraph (h), Motion to Re-open a Bankruptcy Case:

"(3) The following filing fee must be paid upon the filing of a motion to reopen, if the motion is granted, within forty-eight (48) hours of the signing of the order."

Footnote 3, add the following sentence at end of footnote: "The court may waive this fee under appropriate circumstances or may defer payment of the fee from trustees pending discovery of additional assets."

Local Rule 5010-1: Reopening Cases

"A party seeking to reopen a case shall file with the court a motion and shall serve it on the United States Trustee, the previously appointed trustee, any party to be added through amendment as a creditor, and/or any other party who may be affected by the reopening. The motion shall be accompanied by proof of such service. The movant shall pay the filing fee, if one is required (See Bankruptcy Court Miscellaneous Fee Schedule, Item 9, effective of January 1, 1998), upon the filing of a motion to reopen. If the motion to reopen the case is granted, the movant shall pay the filing fee, if one is required (See Appendix to 28 U.S.C. 1930, Language to Clarify Reopened and Converted Bankruptcy

~~Code Cases) within forty-eight (48) hours of the signing of the order reopening the case~~
(See SC LBR 5005-1 H.3.). If the debtor is the movant, the debtor shall give the notice of
any amendment made to the petition, list, schedule or statement as specified in SC LBR
1009-1.

If any fees remains due to the court from the initial filing, they it must be paid upon
the filing of a motion to reopen within forty-eight (48) hours of the signing of an order
reopening the case."


J. BRATTON DAVIS
Chief Judge

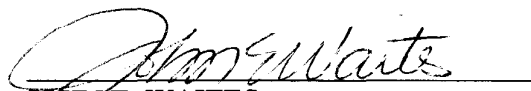
Columbia, South Carolina

December 18, 1997


WM. THURMOND BISHOP
United States Bankruptcy Judge

Columbia, South Carolina

Dec 19, 1997


JOHN E. WAITES
United States Bankruptcy Judge

Columbia, South Carolina

December 19, 1997